

ORDINANCE C-64-94

AN ORDINANCE TO ENACT NEW CHAPTER 524 OF THE CODIFIED ORDINANCES OF GROVE CITY, OHIO, TITLED "ALARM SYSTEMS"

WHEREAS, the number of alarm systems installed by institutions, commercial businesses, and private residences within the city has increased significantly within the last decade; and

WHEREAS, the Codified Ordinances for the City of Grove City does not currently have a delineated procedure or policy requiring that adequate notice be provided to the Grove City Police as to essential information for notification or expected conditions; and

WHEREAS, each time a member of the safety forces responds to an alarm in an emergency mode, the safety forces and public alike are placed at increased risk for sustaining substantial bodily harm; and

WHEREAS, the number and frequency of "false alarms" have increased significantly by reason of faulty installation or careless and neglectful use of the alarm system; and

WHEREAS, the financial burden placed upon the tax payers to provide personnel and equipment to service "false alarms" has become unreasonable and disproportionate to the benefits and interest served.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The Codified Ordinances of the City of Grove City, Ohio be amended to add Chapter 524, titled "Alarm Systems"

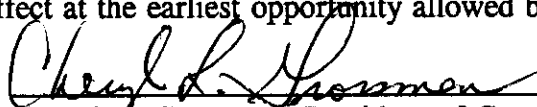
SECTION 2. Chapter 524 is attached hereto and made a part hereof as if fully written herein.

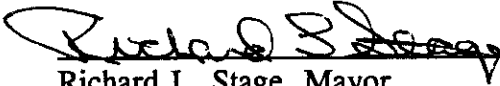
SECTION 3. This ordinance shall take effect at the earliest opportunity allowed by law.

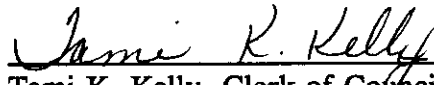
Passed: 9-19-94
Effective: 10-19-94

Attest:

I Certify that this ordinance is correct as to form.


Cheryl L. Grossman, President of Council


Richard L. Stage, Mayor


Tami K. Kelly, Clerk of Council


Thomas Clark, Director of Law

CHAPTER 524

Alarm Systems

524.01	Definitions	524.90	Duty of Alarm Holder or Alarm System Owner
524.02	Automatic Dialing Device		
524.03	Exemptions	524.99	Prohibitions & Penalty
524.04	False Alarm Service Charges		

524.01 DEFINITIONS

As used in this chapter:

- (a) "Alarm Holder" means any person, organization, or company in control of a building, property, or part thereof located in the City, in which an alarm system is installed and maintained.
- (b) "Alarm System" means any assembly of equipment and devices which signals, so as to be seen or heard outside the protected building or space, the presence of robbery, burglary, vandalism, unauthorized intrusion, fire or medical emergency.
- (c) "Inter-Connected Alarm System" means any alarm system which directly or indirectly, automatically or manually, uses a telephone line to transmit an alarm or message upon activation of the alarm system.
- (d) "Local Alarm System" means any alarm system that when activated only sounds a horn, bell, buzzer, or other type of audible or visible alarm that is designed to be audible or visible beyond the premises being served but which does not result in the transmission of a signal to any other location.
- (e) "Automatic Dialing Device" means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response.
- (f) "False Alarm" means any alarm signal or message initiated and transmitted either automatically or manually through an alarm system to the city soliciting an emergency response by police or fire department personnel, when robbery, burglary, vandalism, unauthorized intrusion, fire or medical emergency does not, in fact, exist, but, does not include an alarm signal caused by hurricanes, tornadoes, or other catastrophic acts of God not reasonably subject to control by alarm manufacturer, installer, or alarm holder. An alarm shall be deemed a "false alarm" when, upon visual inspection by the responding public safety personnel, there is no evidence of the condition for which the alarm was made. Such evidence may be the lack of physical damage, no electrical power interruption, or atmosphere conditions which may have disturbed windows or doors.

524.02 AUTOMATIC DIALING DEVICES

(a) No person shall use or cause to be used any telephone device or telephone attachment that automatically selects any telephone line allocated by the telephone company to the City or any of its departments without prior notification to and approval of the City Administrator. Failure to provide timely notice shall render the person, business, or alarm company liable to the provisions of 524.99.

(b) In the event that public safety numbers are changes or an alarm line is designated, all automatic dialing devices shall be reprogrammed to use the designated telephone line within ten (10) days of notification of the designation by the City Administrator.

524.03 EXEMPTIONS

The provisions of this chapter are not applicable to local alarm systems or audible alarms affixed to automobile, boats, boat trailer, uninhabited house trailers, and recreational vehicles or other motor vehicles.

524.04 FALSE ALARM SERVICE CHARGES

(a) False alarms are declared to be a public nuisance and a danger that are avoidable, and by reason of the activity and responses intended to be generated, present a threat to the safety, health and welfare of the citizens of the City of Grove City. The alarm holder shall reimburse the City of Grove City for all costs incurred by reason of a false alarm, which shall at a minimum be as follows:

RESIDENTIAL ALARM HOLDER

<u>Number of False Alarms per year</u>	<u>Amount of Penalty per Occurrence</u>
1 - 3	\$ 0.00
4 - 7	50.00
8 - 12	75.00
13 - more	100.00

BUSINESS ALARM HOLDER

<u>Number of False Alarms per year</u>	<u>Amount of Penalty per Occurrence</u>
1 - 3	\$ 0.00
4 - 7	50.00
8 - 12	100.00
13 - more	200.00

(b) This section imposes strict liability for all false alarms. Upon determination that the alarm is false, as defined by this chapter, then the issue of fact is conclusive and fault, except as may be exempted by this chapter, is not a defense to the assessments stated by this section.

524.90 DUTY OF ALARM HOLDER OR ALARM SYSTEM OWNER

(a) It shall be the sole responsibility of the alarm holder or alarm system owner to select proper equipment and qualified installers to assure proper installation of any alarm system, and properly service and maintain the alarm system at all times. No claim of defective installation or age of the alarm system shall be a defense for a "false alarm" service charge assessed. It is the intent of this section to impose strict liability for any "false alarm" upon the alarm holder to this section and any or all sections of this chapter.

(b) No alarm holder or alarm system owner or alarm system lessee shall fail to promptly respond to a request by public safety personnel to disconnect or reset an alarm. Any person responsible for the alarm who fails to respond within a reasonable time period, upon receiving notice by public safety personnel, is guilty of a minor misdemeanor for the first offense. Whoever violates this section more than once in a calendar year, defined as January 1st to December 31st, is guilty of a misdemeanor of the fourth degree.

(c) No liability will be imposed upon public safety personnel or the City of Grove City as a result of rendering the system inoperable, nor shall there be any liability for loss or damage to the premises, contents, or business interruption that may occur as a direct result or proximate cause of such action.

524.99 PROHIBITIONS AND PENALTIES

(a) No alarm holder shall allow more than three chargeable false alarms, as defined by Section 524.01(f) to be transmitted to public safety personnel during the immediately preceding one year calendar period. an alarm will be classified as false if the responding public safety personnel see no evidence of fire, robbery, burglary, vandalism, unauthorized intrusion or medical emergency.

(b) If the alarm holder proves that the alarm was caused by an event not reasonably foreseeable and which could not have been prevented by the proper adjustment or pre-setting of the sensor threshold, the alarm will be designated a non-chargeable false alarm. Such evidence shall be presented to the Director of Public Safety or designee, within fourteen (14) days of the false alarm. Failure to provide the evidence in a timely manner shall exclude any consideration of the evidence.

(c) Whoever violates subsection (a), or any subparagraph thereof, is guilty of a minor misdemeanor in addition to any other fine or service charge provided by this chapter.